



Town of Danville

210 Main Street
Danville, NH 03819
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Selectmen

Shawn O'Neil
Chris Giordano
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Town Clerk

Christine Tracy

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October 25, 2015

US EPA

ATTN: MR. NEWTON TEDDER
5 Post Office Square, Suite 100
Mail Code OEP06-1
Boston, MA 02109-3912

Dear Mr. Tedder:

The Town of Danville New Hampshire has concerns and comments regarding the proposed revisions to the draft NH Small MS4 Permit. This list of concerns was generated through discussions with the Danville Board of Selectmen and, the Danville Stormwater Department/Highway Department.

We would appreciate the EPA reviewing our concerns and addressing these points with the same level of importance that they were discussed in Danville and generated for your review. These concerns are based upon the fact that Danville is a small town and these initiatives would prove to be very costly for the Town to comply with.

The Town of Danville has 7,070 acres of land with approximately 3,451 acres restricted to Open Space land with long term and permanent restrictions on future development. The remaining land, due to our zoning and natural terrain features is predominantly forested. The acreage provides for natural infiltration of stormwater into watershed areas. The Town of Danville's regulated MS4 area only encompasses approximately one half of the Town's total area.

Danville is listed under section 2.2.2 a. i. of the proposed Small MS4 Permit as a municipality with stormwater discharges to waterbodies or their tributaries that are impaired due to nitrogen. As such, the draft MS4 will require Danville to meet updated water quality standards. The data used for the draft permit was provided by the New Hampshire Department of Environmental Services but is dated, contains incomplete data sets, and provides limited analysis regarding New Hampshire waterways. The area of Danville's urbanized area that falls into the Exeter River Watershed is a very small portion of the urbanized area and may not be contributing to the cause of the impairment, yet we must somehow comply with all of the provisions of the permit.

The revised permit sections also have a street sweeping mandate, requiring street sweeping on all municipal owned streets and parking lots twice a year. This request is unrealistic and unnecessary for Towns that do not have any street curbing. Danville has limited closed drainage, and the idea of street sweeping or having to hire a street sweeper to sweep up leaves, pine needles, etc. seems excessive as Mother Nature composts them naturally. This requirement has the appearance of gathering natures'

resources and disposing of them differently than what occurs naturally. The Town of Danville also uses a limited amount of sand during winter roadway maintenance, therefore avoiding large amounts of sediment accumulation on roadway edges.

An additional aspect in this permit involves the inventory and ranking of MS-4 owned property for BMP retrofits. Danville owns a varied amount of property from town owned buildings to town forest areas and conservation land. The work that would need to be done to access and retrofit town properties with BMPs would require funding that the town does not have.

The estimated costs of complying with the revised sections of the MS-4 permit may increase our towns compliance costs may be upwards of \$50,000.00 or more, over the first two permit years, with additional funding required during future years as the permit progresses. Each year additional requirements will add more and more costs onto the public.

Please be advised that additional comments to the current revisions of the Small MS-4 General Permit will be included in a comment letter being prepared on behalf of the New Hampshire Small MS-4 Coalition.


Thank you for your review of these comments and taking them into consideration when working on the final permit of this section. It is our desire to work together, as well as with other communities in implementing a viable solution to all of these issues and continue to have meaningful discussions to arrive at a successful final draft.


Respectfully,
Danville NH Board of Selectmen


Shawn O'Neil, Chair,


Chris Giordano, Vice Chair


Kimberly Farah


Sheila Johannesen


Joshua Horns